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PATENT CO-OPERATION TREATY

PCT/JP2003/002640

From the INTERNATIONAL BUREAU

**NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

(PCT Rule 72.2)

To:

TAKEUCHI, Saburo
c/o Takeuchi & Associates
2F., Toranomon 11 Mori Bldg.
6-4, Toranomon 2-chome
Minato-ku, Tokyo 105-0031
JAPON

Date of mailing (day/month/year)

21 April 2005 (21.04.2005)

Applicant's or agent's file reference

PCT0300300

IMPORTANT NOTIFICATION

International application No.

PCT/JP2003/002640

International filing date (day/month/year)

06 March 2003 (06.03.2003)

Applicant

MITSUI MINING & SMELTING CO., LTD. et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

CA, CN, EP, KR

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AU, US, ZA

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

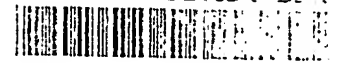
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Translation

PATENT COOPERATION TREATY

PCT/JP2003/002640



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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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|--|--|--|
| Applicant's or agent's file reference PCT0300300 | FOR FURTHER ACTION See Form PCT/IPEA/416 | |
| International application No. PCT/JP2003/002640 | International filing date (day/month/year) 06 March 2003 (06.03.2003) | Priority date (day/month/year) 11 October 2002 (11.10.2002) |
| International Patent Classification (IPC) or national classification and IPC H01M 4/50, 6/06, C25B 1/00 | | |
| Applicant MITSUI MINING & SMELTING CO., LTD. | | |

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

| | |
|---|--|
| Date of submission of the demand 09 February 2004 (09.02.2004) | Date of completion of this report 24 June 2004 (24.06.2004) |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/002640

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1-18 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____ 1-4, 6-9 _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ 5 _____ received by this Authority on _____ 10 June 2004 (10.06.2004)
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages _____ 1 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-----|-----|
| Novelty (N) | Claims | 1-9 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | 1-9 | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | 1-9 | YES |
| | Claims | | NO |

2. Citations and explanations (Rule 70.7)

The subject matter of claims 1-9 appear to be novel and to involve an inventive step.

None of the documents cited in the ISR describes the point described in claims 1-9, that the weight reduction at 200-400 °C of electrolytic manganese dioxide manganese serving as a positive plate active material for all, is 2.7 weight % or more, nor is this obvious to a person skilled in the art.

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